

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

TAQUETTA WALKER

PLAINTIFF

V.

CIVIL ACTION NO. 3:09CV237 DPJ-JCS

BROOKSHIRE GROCERY COMPANY

DEFENDANT

ORDER

On October 28, 2009, this Court entered an order allowing Plaintiff's attorney to withdraw and directing Plaintiff to either have her new counsel make an appearance or notify the Court of her intention to proceed *pro se* within 30 days. Plaintiff failed to comply, and a second order was entered December 22, 2009, directing Plaintiff to show cause in writing before January 5, 2010 why her action should not be dismissed for failure to prosecute. Plaintiff failed to respond to the show cause order and the time in which to do so has now passed.

This Court has the authority under Rule 41(b) of the Federal Rules of Civil Procedure and under its inherent authority to dismiss this action for Plaintiff's failure to prosecute and failure to comply with orders of the Court. *See Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Larson v. Scott*, 157 F.3d 1030 (5th Cir. 1998); *McCullough v. Lynaugh*, 835 F.2d 1126 (5th Cir. 1988). Such a "sanction is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars" of the Court. *Link*, 370 U.S. at 629-30.

IT IS, THEREFORE, ORDERED that this case is dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority.

SO ORDERED AND ADJUDGED this the 26th day of January, 2010.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE